



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Report No. TEL-01126NS

Friday March 23, 2007

NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

Section 214 Applications (47 C.F.R. § 63.18); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

Petition for Declaratory Ruling

Satamatics, Inc. (Satamatics or the "Petitioner") requests a declaratory ruling that it is in the public interest for Satamatics to have up to 100% indirect foreign ownership by Satamatics Global Limited, in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"). Satamatics filed its petition in conjunction with its application for consent to the transfer of control of a blanket license for 20,000 mobile earth terminals used in the United States for the provision of Inmarsat D+ services. See File No. SES-T/C-20061221-02208. (See also SES-MFS-20051202-01665.) Satamatics completed the transfer of control that is the subject of the application effective October 12, 2006, without the required prior approval of the Commission pursuant to section 310(d) of the Act.

Satamatics, a Delaware corporation, is wholly owned by Satamatics Holdings, Inc. (SHI), a Delaware corporation that, in turn, is wholly owned by Satamatics Worldwide Limited (SWL), a company organized under the laws of England and Wales. Pursuant to a corporate restructuring, 100% ownership and ultimate control of SHI and its subsidiary, Satamatics, have been transferred from SWL to a newly formed entity, Satamatics Global Limited (SGL), a corporation organized under the laws of England and Wales. SGL was formed by providing SWL shareholders with a one for one exchange of shares in SGL, with the opportunity to purchase additional shares. To complete the restructuring, SWL will be dissolved, pending Commission approval.

SGL's equity and voting interests are held by four citizens of the United Kingdom (holding interests ranging from 5.50% to 11.71%); by Canterbury Limited (16.65%), Liverpool Limited (18.21%) and Barclay Limited (3.97%); and by numerous individuals, including one that holds its interest through an investing entity (an aggregate 26.19%, with no interest exceeding 4.76%). Canterbury Limited, Liverpool Limited, and Barclay Limited are privately held companies registered in St. Vincent and the Grenadines. They are jointly wholly owned and controlled, through a private mutual fund, by Bryan and Alexander Jeeves, both of whom are residents and citizens of Liechtenstein. The 26.19% of SGL's widely-held shares are owned and voted by citizens of the United States, the United Kingdom and Hong Kong.

The Petitioner asserts that, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership of Satamatics in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest. It seeks a ruling that it is permitted to have a total of 100% indirect foreign ownership by SGL and its shareholders. In addition, it seeks approval to have up to and including an additional, aggregate 25% indirect interest from other unnamed non-U.S. investors.

Petition for Declaratory Ruling

SunCom Wireless Holdings, Inc. (SunCom) requests a declaratory ruling (Petition) that the Commission find permissible the indirect foreign ownership of Triton PCS License Company LLC (Triton) and AWS License Newco, LLC (AWS) in excess of the 25 percent benchmark set forth in section 310(b)(4) of the Communications Act, as amended. Specifically, SunCom requests a declaratory ruling that it is in the public interest to permit indirect foreign investment in Triton and AWS of 47.79% equity interests and 32.42% voting interests. This request is filed in connection with applications for consent to transfer control of SunCom from its current shareholders to new shareholders. Triton and AWS hold numerous common carrier wireless licenses under Parts 22, 24 and 101 of the Commission's rules (see ULS File Nos. 0002914078 (Triton) and 0002914081 (AWS)).

According to the Petition, Triton and AWS are both limited liability companies formed under the laws of Delaware. AWS is a wholly-owned subsidiary of Triton, which is in turn a wholly-owned, indirect subsidiary of SunCom. Suncom is a publicly-traded corporation formed under the laws of Delaware, whose shares are currently traded over-the-counter.

Pursuant to an Exchange Agreement dated January 31, 2007, between SunCom and certain holders of outstanding notes of SunCom Wireless Inc. (SunCom Wireless), an indirect, wholly-owned subsidiary of SunCom, SunCom will issue shares of its Class A common stock in exchange for outstanding notes of SunCom Wireless. In addition, SunCom will conduct an internal merger in order to implement a 1 for 10 reverse stock split. According to the Petition, as a result of the proposed transaction 17 current Noteholders of SunCom Wireless will exchange their notes for shares and, together with the shares of SunCom stock currently held by three of the Noteholders, will hold 92.35% of the outstanding shares of SunCom stock. Four groups of investment funds will have ten percent or greater voting and equity interests in SunCom: Pardus Capital Mangement L.P. (18.87%); Capital Research and Management Company (23.06%); DiMaio Ahmad Capital LLC (11.28%); and, Highland Capital Management, L.P. (30.96%).

The Petition states that as a result of the proposed transaction the foreign ownership of SunCom, and therefore the indirect foreign ownership of Triton and AWS, will exceed the 25 percent benchmark set forth in section 310(b)(4). According to SunCom, the aggregate foreign equity ownership is expected to be approximately 49.79%, of which 43.63% is expected to be from WTO Member countries, with 6.15% from non-WTO Members countries or unidentified countries. With regard to voting interests, the foreign voting interests in SunCom are expected to be approximately 30.06% by and through general partners and 32.42% by and through limited partners. Voting interests from WTO Member countries will be 23.65% by and through general partners and 23.51% by and through limited partners. Voting interests from non-WTO Member or unidentified countries will be 5.96% by and through general partners and 8.91% by and through limited partners. The specific foreign ownership interests through the various groups of investment funds and other shareholders is set forth in the Petition.

SunCom asserts that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership of Triton and AWS in excess of 25 percent is consistent with the public interest. SunCom also requests advance authorization for an additional 25 percent foreign ownership provided that any additional foreign ownership does not cause the amount attributable to a single, previously unidentified entity from a World Trade Organization (WTO) Member country, or cumulatively to entities from non-WTO Member countries, to exceed 25 percent of SunCom's total ownership.

Interested parties may file comments on or before April 6, 2007, and reply comments on or before April 13, 2007.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

International Telecommunications Certificate

Service(s): Global or Limited Global Facilities-Based Service, Global or Limited Global Resale Service

Application for authority to provide facilities-based service in accordance with Section 63.18(e)(1) of the rules, and also to provide service in accordance with Section 63.18(e)(2) of the rules.

Transfer of Control

Current Licensee: Satamatics, Inc.**FROM:** Satamatics Worldwide Limited**TO:** Satamatics Global Limited

Application for consent to transfer control of Satamatics, Inc. (Satamatics). Satamatics holds international section 214 authorization, ITC-214-20020228-00160. It also has a pending application, ITC-214-20060207-00086, for section 214 authority to provide Inmarsat D+ service utilizing the Inmarsat 4F2 satellite (accepted for filing in Report No. TEL-00998S, rel. Feb. 17, 2006; removed from streamlined processing in Report No. TEL-01003S, rel. Mar. 3, 2006).

The instant application requests consent to transfer control of Satamatics from its 100% direct parent company, Satamatics Worldwide Limited (SWL), to Satamatics Global Limited (SGL), the new 100% direct parent company of SWL. Satamatics completed the transfer of control to SGL effective October 12, 2006, without timely notification to the Commission. The application also seeks authority to eliminate SWL from Satamatics' ownership structure. It additionally seeks approval for a substantial change in the ultimate ownership of Satamatics. This change in ownership occurred without the required prior Commission consent and resulted from a series of transactions since we approved Satamatics' ownership structure in ITC-T/C-20040715-00293 (consenting to the transfer of control of Satamatics from Richtec PLC to SWL). The current ownership structure for which Satamatics seeks approval is described in this Public Notice under ISP-PDR-20061221-00019.

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>